

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re: William J. Picinich

Case No. 18-60094
Chapter 13

Debtor(s).

LOSS MITIGATION REQUEST BY DEBTOR(S) AND CERTIFICATE OF SERVICE

PURSUANT TO SECTION V OF THE COURT'S LOSS MITIGATION PROGRAM PROCEDURES, THE CREDITOR NAMED HEREIN HAS 14 DAYS FROM SERVICE OF THIS REQUEST TO FILE AND SERVE AN OBJECTION TO LOSS MITIGATION REQUEST AND A NOTICE OF HEARING ON OBJECTION TO LOSS MITIGATION REQUEST ON THE DEBTOR(S), DEBTOR(S)' ATTORNEY, AND THE CASE TRUSTEE. IF AN OBJECTION TO LOSS MITIGATION REQUEST AND A NOTICE OF HEARING ON OBJECTION TO LOSS MITIGATION REQUEST ARE NOT FILED, THE COURT MAY ENTER A LOSS MITIGATION ORDER.

I. IDENTIFICATION OF THE PROPERTY AND THE PARTIES:

I am/We are the Debtor(s) in this case and hereby request to enter into the Loss Mitigation Program with respect to my/our Property located at:

Address: 1374 County Hwy 23, Walton, New York 13856

_____;

With the following Creditor:

Creditor's Name and Address:

Fannie Mae c/o Seterus, Inc.

PO Box 1047

Hartford, CT 06143

With respect to the Property, Creditor is the holder of a:

☒ First Mortgage

☐ Second Mortgage

☐ Other (please specify): _____

_____.

II. SIGNATURE:

I understand that if the court orders Loss Mitigation in this case, I am required to comply with the Loss Mitigation Program Procedures and will participate in good faith. I understand that Loss Mitigation is voluntary for all parties and that I am not required to enter into any agreement or settlement with any other party as part of entry into the Loss Mitigation Program. I also understand that no other party is required to enter into any agreement or settlement with me. I understand that I am not required to request dismissal of my case as part of any resolution or settlement that is offered or agreed to during Loss Mitigation. I also understand that if a Loss Mitigation Order is entered, I am responsible pursuant to section VII(B) of the Loss Mitigation Program Procedures for adjourning any matters pending between the Loss Mitigation Parties for which I am the movant. I certify that the Property in question consists only of real property used as my principal residence in which I hold an interest.

Dated: 7/17/18

William J. Piccirilli
Debtor

Dated: _____

Joint Debtor

III. LOSS MITIGATION CONTACT INFORMATION FOR ATTORNEY FOR DEBTOR(S):

Name: Justin Myers

Title: Attorney

Firm: Barbaruolo Law Firm, P.C.

Address: 12 Cornell Road

Address 2: _____

City: Latham State: NY Zip Code: 12110

Phone No.: 518-782-9100 Facsimile No.: 518-782-9101

Email Address: jmyers@pmblawpc.com

IV. CERTIFICATE OF SERVICE:

I, Justin Myers, state under penalty of perjury that the following is true and accurate.

(1) That I am not a party to this action, am over 18 years of age, and reside in Latham, New York.

(2) That on _____, 2018, I served a true and accurate copy of the above Loss Mitigation Request by Debtor(s)—

—by notice of electronic filing (NEF) via the CM/ECF system upon the following parties at the email addresses listed below:

Mark W. Swimelar, Esq. <Trustee@cnytrustee.com> Chapter 13 Trustee
Andrew Goldberg, Esq. <BKmail@rosicki.com> Atty for Fannie Mae
Ehret Van Horn, Esq. <ecfnotices@grosspolowy.com>

+

—by first class mail upon the following parties at the addresses listed below:

—by certified mail upon the following parties at the addresses listed below:

Dated: July 18, 2018
Niskayuna, New York

Justin Myers
Name

Sworn to before me this

18th day of July, 2018
Maria A. Welch
Notary Public, State of New York